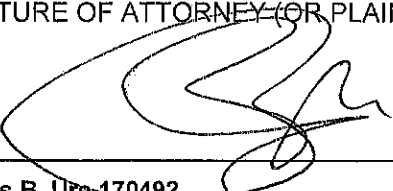


ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (For Court Use Only)	
PLAINTIFFS Mario Cobos 14643 California St Baldwin Park, CA 91706		DEFENDANTS Nationstar Mortgage, LLC Attn: Bankruptcy department 350 Highland Drive Lewisville, TX 75067	
ATTORNEYS (Firm Name, Address, and Telephone No.) Thomas B. Ure 170492 Ure Law Firm 811 Wilshire Blvd., Suite 1000 Los Angeles, CA 90017 213-202-6070 Fax: 213-202-6075		ATTORNEYS (If Known) McCarthy & Holthus, LLP Attn: Merdaud Jafarina, Esq. 1770 Fourth Avenue San Diego, CA 92101	
PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee		PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) COMPLAINT TO DETERMINE VALUE OF REAL PROPERTY COMMONLY KNOWN AS 14430 CALIFORNIA AVENUE, BALDWIN PARK, CA 91706; DETERMINE THE EXTENT OF SECURED CLAIMS; AND TO AVOID THE LIEN OF NATIONSTAR MORTGAGE, LLC			
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)			
FRBP 7001(1) - Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) - Validity, Priority or Extent of Lien <input checked="" type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) - Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) - Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) - Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) - Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)		FRBP 7001(6) - Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) - Injunctive Relief <input type="checkbox"/> 71-Injunctive relief - imposition of stay <input type="checkbox"/> 72-Injunctive relief - other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case - 15 U.S.C. §§78aaa et seq. <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)	
<input type="checkbox"/> Check if this case involves a substantive issue of state law		<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23	
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$	
Other Relief Sought			

B104 (FORM 104) (08/07), Page 2

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR Mario Cobos		BANKRUPTCY CASE NO. 2:12-bk-35084 VZ
DISTRICT IN WHICH CASE IS PENDING Central District of California	DIVISION OFFICE	NAME OF JUDGE VINCENT P. ZURZOLO
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 		
Thomas B. Ure 170492		
DATE 07/ 22 /2013	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Thomas B. Ure 170492	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

Ure Law Firm, A.P.C.

811 Wilshire Blvd., Suite 1000
LOS ANGELES, CALIFORNIA 90017
TEL.: (213) 202-6070
FAX.: (213) 202-6075
THOMAS B. URE, State Bar No. 170492
TBUESq@aol.com

(SPACE BELOW FOR FILING STAMP ONLY)

Attorney for Debtor/Plaintiff

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

IN RE:

MARIO COBOS,

DEBTOR.

MARIO COBOS,

PLAINTIFF,

VS.

NATIONSTAR MORTGAGE, LLC

DEFENDANT.

Case No.: 2:12-bk-35084 VZ

CHAPTER 13

Adv. No.:

**COMPLAINT TO DETERMINE VALUE OF
REAL PROPERTY COMMONLY KNOWN
AS 14430 CALIFORNIA AVENUE,
BALDWIN PARK, CA 91706, DETERMINE
THE EXTENT OF SECURED CLAIMS, AND
TO AVOID THE LIEN OF
NATIONSTAR MORTGAGE LLC**

COMES NOW plaintiff and Chapter 13 Debtor MARIO COBOS, an individual, and
complains against NATIONSTAR MORTGAGE, LLC as follows:

1. The court has jurisdiction over this proceeding pursuant to 28 U.S.C. §1334 (a).
2. This is a core proceeding under 28 U.S.C. §157 (b) (2) (K) and (O).

///

3. Venue is proper in this judicial district pursuant to 28 U.S.C. §1409 (a), in that the instant proceeding is related to the case under Title 11 of the United States Code, which is before this court.

4. On July 20, 2012, Plaintiff filed a voluntary petition under Chapter 13 of the bankruptcy code, which was assigned case number 2:12-bk-35084-VZ.

5. At all relevant times, Plaintiff was the owner of the rental property in question commonly known as 14430 California Avenue, Baldwin Park, CA 91706 (hereinafter the "Property").

6. Plaintiff is informed and believes that the Property is subject to a first Deed of Trust in favor of NATIONSTAR MORTGAGE, LLC (hereinafter "FIRST TRUST DEED CLAIM") which as of the filing date had a balance of \$347,890.01.

7. Plaintiff is informed and believes that the Property is subject to a second Deed of Trust in favor of NATIONSTAR MORTGAGE, LLC (hereinafter "SECOND TRUST DEED CLAIM") which as of the filing date had a balance of \$87,895.49.

8. Plaintiff is informed and believes that the Property has a value of \$230,840.00. This valuation is based on the Debtor's opinion and belief based on comparable sales in the area.

I.

FIRST CLAIM FOR RELIEF

VALUATION OF SECURITY

9. Plaintiff re-alleges the allegations in paragraphs 1 through 8 of the Complaint as if fully set forth here.

10. Plaintiff alleges that the Property became property of the bankruptcy estate upon the filing of the petition which commenced the underlying chapter 13 case.

11. Pursuant to 11 U.S.C §506(a) and Fed. R. Bankr. Proc. 3012, Plaintiff requests that the Court determine the value of the Property.

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II.

SECOND CLAIM FOR RELIEF

DETERMINATION OF THE EXTENT OF SECOND TRUST DEED CLAIM

12. Plaintiff re-alleges the allegations in paragraphs 1 through 8 and 9 through 11 of the Complaint as if fully set forth here.
13. Pursuant to 11 U.S.C §506(a) and Fed. R. Bankr. Proc. 3012, Plaintiff requests that the Court determine the nature and extent of the SECOND TRUST DEED CLAIM on the Property.

III.

THIRD CLAIM FOR RELIEF

AVOIDANCE OF THE SECOND TRUST DEED CLAIM

14. Plaintiff re-alleges the allegations in paragraphs 1 through 8, 9 through 11, and 12 and 13 of the Complaint as if fully set forth here.
15. Plaintiff is informed and believes that the SECOND TRUST DEED CLAIM is completely unsecured and under applicable law may be determined to be a general unsecured claim.
16. Plaintiff is informed and believes that the Court has the authority under applicable law, including 11 U.S.C. §1322 (b), to Order treatment of a claim by the holder of the SECOND TRUST DEED CLAIM as an unsecured creditor.
17. Plaintiff is informed and believes that under applicable law, upon completion of her chapter 13 plan and an issuance of discharge, the Court has the authority to avoid the SECOND TRUST DEED CLAIM.

REQUEST FOR JUDGMENTS AND ORDERS

Based on the foregoing, Plaintiff requests that the Court enter a judgment which:


1. Determines the value of the Property to be \$230,840.00;
2. Determines that the FIRST TRUST DEED CLAIM is secured in an amount exceeding the value of the Property;
3. Determines that the SECOND TRUST DEED CLAIM is wholly unsecured;

- 1 4. Avoids the SECOND TRUST DEED CLAIM and permits modification of the claim under
2 §1322(b) (2); and
3 5. For such other and further relief as the Court deems just and proper.
4

5 Respectfully submitted,
6

7 URE LAW FIRM
8

9 DATED: 07/23 /2013
10

11 By: 
12 THOMAS B. URE
13 Attorney for Plaintiff
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Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address		FOR COURT USE ONLY	
Thomas B. Ure 811 Wilshire Blvd., Suite 1000 Los Angeles, CA 90017 213-202-6070 Fax: 170492 tom@urelawfirm.com			
Attorney for Plaintiff			
UNITED STATES BANKRUPTCY COURT Central District of California			
In re:		CASE NO: 2:12-bk-35084 VZ	
Mario Cobos		CHAPTER: 13	
Debtor(s).		ADVERSARY NUMBER:	
MARIO COBOS		SUMMONS AND NOTICE OF STATUS CONFERENCE IN ADVERSARY PROCEEDING [LBR 7004-1]	
Plaintiff(s)			
Versus			
NATIONSTAR MORTGAGE, LLC			
Defendant(s)			

TO THE DEFENDANT: A Complaint has been filed by the Plaintiff against you. If you wish to defend against the Complaint, you must file with the court a written pleading in response to the Complaint. You must also serve a copy of your written response on the party shown in the upper left-hand corner of this page. The deadline to file and serve a written response is _____. If you do not timely file and serve the response, the court may enter a judgment by default against you for the relief demanded in the Complaint.

A status conference in the adversary proceeding commenced by the Complaint has been set for:

Hearing Date: _	Place:
Time: _	<input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: _	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101
	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367

You must comply with LBR 7016-1, which requires you to file a joint status report and to appear at a status conference. All parties must read and comply with the rule, even if you are representing yourself. You must cooperate with the other parties in the case and file a joint status report with the court and serve it on the appropriate parties at least 14 days before a status conference. A court-approved joint status report form is available on the court's website (LBR form F 7016-1.1) with an attachment for additional parties if necessary (LBR form F 7016-1.1a). If the other parties do not cooperate in filing a joint status report, you still must file with the court a unilateral status report and the accompanying required declaration instead of a joint status report 7 days before the status conference. **The court may fine you or impose other sanctions if you do not file a status report. The court may also fine you or impose other sanctions if you fail to appear at a status conference.**

**KATHLEEN J. CAMPBELL
CLERK OF COURT**

Date of Issuance of Summons and Notice of Status Conference in Adversary Proceeding:

By: _____
Deputy Clerk